

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)
)
v.) CRIMINAL NO. 1:11CR155
)
JAVIER SIVERONI,) The Honorable Liam O'Grady
)
Defendant.)

CONSENT ORDER OF FORFEITURE

WHEREAS, on August 1, 2011, defendant Javier Siveroni pled guilty to Count 1 of the pending Indictment charging the defendant with conspiracy to commit wire fraud, in violation of Title 18, United States Code, Section 1349, and pursuant to the defendant's plea, the defendant agreed to forfeit all of the defendant's interests in the property that is the subject of this order of forfeiture and to the entry of an order of forfeiture concerning such property;

AND WHEREAS, defendant agrees to waive the provisions of Federal Rules of Criminal Procedure 11(b)(1)(J), 32.2(a), 32.2 (b)(4) and 43(a) with respect to discussion of forfeiture at the plea colloquy, notice of forfeiture in the charging instrument, and announcement of the forfeiture at sentencing and incorporation of the forfeiture in the judgment;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED
THAT:

1. The following property is forfeited to the United States, pursuant to 28 U.S.C. § 2461(c) and 18 U.S.C. § 981(a)(1)(C), as property that constitutes or is derived from proceeds traceable to the violation to which the defendant pled guilty, or as a substitute therefor, and as property in which the defendant has an interest:

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- a. the sum of \$2.5 million, which shall be in the form of a money judgment against the defendant and in favor of the United States of America, and which shall be credited with the net proceeds realized from the forfeiture of the property listed below;
 - b. \$47,203.70 in net proceeds from the sale of the real property and premises located at 210 Longview Drive, Alexandria, Virginia;
2. The Attorney General or a designee is hereby authorized to seize, inventory, and otherwise maintain custody and control of the property, whether held by the defendant or by a third party, and to conduct any discovery proper in identifying, locating or disposing of the property subject to forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(3).
3. The United States shall, to the extent practicable, provide direct written notice to any persons known to have alleged an interest in the property, and shall publish notice of this order in accordance with Federal Rule of Criminal Procedure 32.2(b)(6).
4. This Consent Order of Forfeiture is final as to the defendant, and it shall be made part of his sentence and included in the Judgment in this case pursuant to Fed. R. Crim. P. 32.2(b)(4).
5. Any person, other than the defendant, asserting any legal interest in the property may, within thirty (30) days of the final publication of notice or his receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest in the property pursuant to 21 U.S.C. § 853(n) and Fed. R. Crim. P. 32.2(c)(1).
6. If no third party files a timely petition or if this Court denies and/or dismisses all third party petitions timely filed, this Consent Order shall become the Final Order of Forfeiture, and the United States shall have clear title to the property and may warrant good title to any

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subsequent purchaser or transferee pursuant to 21 U.S.C. § 853(n)(7) and Fed. R. Crim. P. 32.2 (c)(2).

7. If this Court grants any third party rights, a Final Order of Forfeiture that amends this Consent Order as necessary to account for said third party rights, shall be entered pursuant to 21 U.S.C. § 853(n)(6) and Fed. R. Crim. P. 32.2(c)(2).

Date: Nov 4, 2011
Alexandria, Virginia

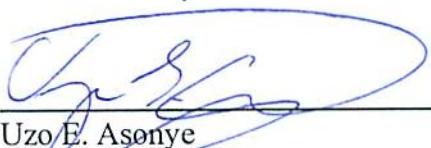
/s/ *[Signature]*
Liam O'Grady
United States District Judge

The Honorable Liam O'Grady
United States District Court Judge

WE ASK FOR THIS:

For the United States of America, plaintiff

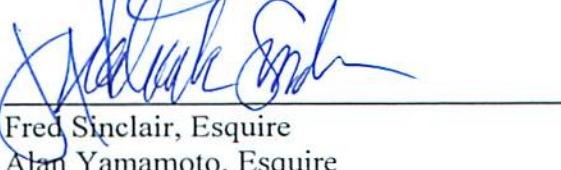
Neil H. MacBride
United States Attorney

By: 

Uzo E. Asonye
Assistant United States Attorney

For Javier Siveroni, defendant


JAVIER SIVERONI
Defendant


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